



Agenda

Oxford City Council

Court House

TUESDAY, OCTOBER 18, 2022

EXECUTIVE SESSION

None.

TUESDAY, OCTOBER 18, 2022

1. Roll Call. William Snavelly, Mayor Chantel Raghu, Vice-Mayor Amber Franklin
Jason Bracken Alex French Glenn Ellerbe David Prytherch

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: (1) Comments on items not on the Agenda, and Consent Agenda items, will be heard under Public Comments – and (2) Comments on all Resolutions and Ordinances will be heard during Council consideration of said item. Please wait until you are recognized by the Mayor, proceed to the podium, state your name and address so that your comments may be properly recorded and limit your remarks to a period of five minutes or less.

REGULAR MEETING

7:30 P.M.

PLEDGE OF ALLEGIANCE

2. Approval of Agenda.

This facility is wheelchair accessible. If you plan to attend this meeting and you have a disability that requires special arrangements, please notify the City Manager's office 48 hours

in advance so that reasonable accommodations can be made.

3. Public Participation.

A. Proclamation “Caroline Scott Harrison Day” pg 5



Proclamation- Caroline Scott Harrison Day

B. Public Comments.

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

4. Consent Agenda.

A. Minutes of the October 4, 2022, City Council Meeting (Heather Barbour, Clerk of Council) pg 6



10.4.22 Minutes

B. Report regarding the October 5, 2022, Environmental Commission Meeting (Mike Dreisbach, Service Director) pg 20



Environmental Commission Report

C. A Resolution declaring certain City property no longer needed for any Municipal purpose as surplus and authorizing its advertisement and sale to the highest bidder on govdeals.com. (John Detherage, Fire Chief) pg 24



Resolution declaring certain City Property as Surplus

5. Resolutions.

1. A Resolution authorizing the City Manager to sign a new agreement for legal services with Christopher R. Conard, Attorney at Coolidge Wall CO., L.P.A. (Doug Elliott, City Manager) pg 26



Resolution authorizing a new agreement for legal services

2. A Resolution authorizing the City Manager to sign an addendum to the 2021 Real Estate Purchase Option Agreement with Episcopal Retirement Services Affordable Living LLC, authorizing a 30-Day Option Extension Without Payment. (Sam Perry, Community Development Director) pg 31



Resolution authorizing a 30 - day extension

6. Ordinances.

A. First Reading.

1. An Ordinance amending Ordinance No. 3654 Supplemental Budget Ordinance Number 8 to make supplemental appropriations for fiscal year 2022. (Joe Newlin, Finance Director) pg 34



Ordinance Supplemental Ordinance No. 8

2. An Ordinance approving a six-month extension of the approved Final Subdivision and construction drawings, and amending a condition of the approved Final Planned Development, for South Farm Section IV. (Sam Perry, Community Development Director) pg 37



Ordinance approving a 6- month extension of approved final subdivision

B. Second Reading

1. An Ordinance repealing and replacing section 505.01 of the Codified Ordinances of the City of Oxford pertaining to dogs and other animals running at large. (Doug Elliott, City Manager) pg 41



Ordinance repealing and replacing section 505.01

2. An Ordinance amending Chapter 935 trees, shrubs, and other plants by adding Section 935.191 Managed Natural Lawn Area. (Councilor Bracken) pg 49



Ordinance amending Chapter 935 trees, shrubs, and other plants

7. A. Announcements & Communications.

1. Remarks from City Council and City staff. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

2. Future Meetings.

7. A. Announcements & Communications.

1. Remarks from City Council and City staff. The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

2. Future Meetings.

THUR – Oct. 20 Climate Action Steering Committee Meeting 8:30 a.m. Municipal Building

TUES – Oct. 20 City Council Operating Budget Work Session 6:30 p.m.

TUES – Oct. 25 CANCELED- Board of Zoning Appeals Meeting 6:30 p.m.

TUES – Nov. 1 City Council Meeting 7:30 p.m.

WED – Nov. 2 Environmental Commission Meeting 7:00 p.m. Municipal Building

TUES – Nov. 8 Public Arts Commission Meeting 4:30 p.m. Municipal Building

TUES – Nov. 8 Planning Commission Meeting 7:00 p.m.

WED – Nov. 9 Historic & Architectural Preservation Commission Meeting 6:15 p.m.

MON – Nov. 14 Parking & Transportation Advisory Board Meeting 9:30 a.m. Municipal Building

MON – Nov. 14 Recreation Board Meeting 11:30 a.m. Municipal Building

TUES- Nov. 15 City Council Meeting 7:30 p.m.

THUR- Nov. 17 Climate Action Steering Committee 8:30 a.m. Municipal Building

THUR – Nov. 17 Police Community Relations and Review Committee 7:00 p.m.

THUR – Oct. 20 Climate Action Steering Committee Meeting 8:30 a.m. Municipal Building

8. Adjourn.

TUES – Oct. 20 City Council Operating Budget Work Session 6:30 p.m.

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THUR – Nov. 17 Police Community Relations and Review Committee 7:00 p.m.

8. Adjourn.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	City Manager
DATE PREPARED:	10.12.22
COUNCIL MEETING DATE:	10.18.22
AGENDA TITLE:	Resolution Authorizing the City Manager to Sign a New Agreement for Legal Services
COUNCIL GOAL AREA:	Choose an item.
BUDGETED AMOUNT:	\$120,592
ACCOUNT CODE:	110.430.52340
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	DRE 10.12.22

DISCUSSION:

Chris Conard Law Director has requested an increase in the hourly rate from \$135 per hour to \$155 per hour. The hourly rate has not been increased since the agreement was signed on October 1, 2019. This new hourly rate will be increased on January 1, 2024, and each year thereafter by a percentage amount equal to the annual cost-of-living increase granted to the nine-union workforce pay scale. The annual retainer amount will remain the same.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A NEW AGREEMENT FOR LEGAL SERVICES WITH CHRISTOPHER R. CONARD, ATTORNEY AT COOLIDGE WALL CO., L. P. A.

WHEREAS, City Council adopted Resolution No. 7111 on October 1, 2019, naming Christopher R. Conard, Attorney at Coolidge Wall Co., L. P. A. as City Attorney for the City of Oxford; and

WHEREAS, the City Manager signed an agreement for legal services dated October 1, 2019; and

WHEREAS, the City Council desires to sign a new agreement for legal services.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: The City Manager is hereby authorized to sign a new agreement with the terms set forth in Exhibit "A" for legal services with Christopher R. Conard, Attorney at Coolidge Wall Co., L. P. A.

SECTION 2: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is made and entered into this **18th day of October, 2022** by and between the City of Oxford, whose address is 15 South College Avenue, Oxford, Ohio 45056 and Coolidge Wall Co., L.P.A., whose address is 33 West First Street, Suite 200, Dayton, Ohio 45402.

WHEREAS, the City of Oxford desires to retain the services of Coolidge Wall Co., L.P.A. to provide legal services to the City of Oxford; and,

WHEREAS, the City of Oxford has named Christopher R. Conard, attorney at Coolidge Wall Co., L.P.A., as City Attorney for the City of Oxford;

WHEREAS, Coolidge Wall Co., L.P.A. desires to provide legal services for the City of Oxford in accordance with the terms outlined herein.

NOW, THEREFORE, the parties agree as follows:

1. The City of Oxford shall pay to Coolidge Wall Co., L.P.A in the form of a legal services retainer, the sum of Eighty-Five Thousand Dollars (\$85,000.00) per year. Said sums shall be payable in twelve (12) equal monthly installments. No deductions for health insurance or public employee's retirement benefits shall be made from said compensation. Any written waivers necessary to effectuate the waiver of any benefits shall be executed by Coolidge Wall Co., L.P.A. and/or Christopher R. Conard, Esq.
2. In exchange for the aforementioned legal services retainer of Eighty-Five Thousand Dollars (\$85,000.00) per year, Christopher R. Conard, or a licensed attorney employed by Coolidge Wall, L.P.A. working at Mr. Conard's direction, shall provide the following legal services: the approval and drafting of legislation; attendance at all regularly scheduled meetings of City Council, Planning

Commission and Board of Zoning Appeals; attendance at one (1) staff meeting per month; attendance at special meetings as requested; providing legal opinions to the City Manager, Department Heads and elected and appointed officials; review of legal agreements pertaining to the ordinary course of daily business of the City; drafting of legal agreements pertaining to the ordinary course of daily business of the City and attention to other such matters as are necessary to carry out the duties of City Attorney.

3. All other Coolidge Wall Co. L.P.A. employees providing services under the terms of this Agreement shall work under the direct supervision of a licensed attorney who shall at all times remain responsible for the performance of said work.
4. In addition to the foregoing legal services retainer, legal services rendered to the City by Coolidge Wall Co., L.P.A. in connection with litigation, or in connection with matters which are not legal issues addressed by the City in the ordinary course of daily business (otherwise known as outside retainer matters) shall be compensated on a case-by-case basis at an hourly rate of One Hundred Fifty Five Dollars (\$155.00) per hour effective October 18, 2022. This hourly rate will be increased on January 1, 2024 and each year thereafter by a percentage amount equal to the annual cost of living increase granted to the non-union work force pay scale. Prior to initiating an outside retainer matter to be billed at an hourly rate, Mr. Conard shall acquire the approval of the Oxford City Manager. Coolidge Wall Co., L.P.A. shall keep records of time spent and expenses incurred for such litigation or other outside retainer matters and shall bill the City for payment by detailed monthly invoice.
5. Either the City or Coolidge Wall Co., L.P.A. may terminate this Agreement for any reason upon sixty (60) days written notice to the other party. In the event of termination, all unpaid legal services that are due and owing shall be paid up to and including the period of notice.
6. This Agreement embodies the entire agreement and understanding between the parties, and there are no other agreements and understandings, oral or written, with reference to the subject matter hereof that are not merged herein and superseded hereby. This Agreement shall be governed by the laws of the State of Ohio.

IN WITNESS WHEREOF, this Agreement, which is subject to the terms and conditions stated is accepted as of the later date this document is signed by both parties.

City of Oxford, Ohio

Coolidge Wall Co., LPA

By _____

By _____

Douglas R. Elliott, Jr., City Manager

Christopher R. Conard

Coolidge Wall, Vice- President



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Fire Division
PREPARED BY:	John Detherage
DATE PREPARED:	10-10-2022
COUNCIL MEETING DATE:	10-18-2022
AGENDA TITLE:	Surplus Equipment Disposal
COUNCIL GOAL AREA:	Public Safety
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	JD 10-10-2022 <i>DRC</i> 10.12.22

DISCUSSION:

The following equipment is surplus to the operation of the Fire Division and will be auctioned on GovDeals.com.

- 1997 Chevrolet Step Van
- Hale/B&S Fire Pump
- (2) Super Vac Gas Fans
- (2) Ferno Traction Splints
- (2) Hydraulic Spreader Mounts

RESOLUTION NO.

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AS SURPLUS AND AUTHORIZING ITS ADVERTISEMENT AND SALE TO THE HIGHEST BIDDER ON GOVDEALS.COM.

WHEREAS, the 1997 Chevrolet Step Van, Hale/B&S Fire Pump, (2) Super Vac Gas Fans, (2) Ferno Traction Splints, and (2) Hydraulic Spreader Mounts are no longer needed for Fire Division operations; and

WHEREAS, the City Manager and the Fire Chief recommend the 1997 Chevrolet Step Van, Hale/B&S Fire Pump, (2) Super Vac Gas Fans, (2) Ferno Traction Splints, and (2) Hydraulic Spreader Mounts be declared surplus and that the same be advertised and sold to the highest bidder on Govdeals.com.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: Council accepts the recommendation of the City Manager and the Fire Chief and hereby declares the 1997 Chevrolet Step Van, Hale/B&S Fire Pump, (2) Super Vac Gas Fans, (2) Ferno Traction Splints, and (2) Hydraulic Spreader Mounts as surplus.

SECTION 2: Council further authorizes the advertisement and sale of the 1997 Chevrolet Step Van, Hale/B&S Fire Pump, (2) Super Vac Gas Fans, (2) Ferno Traction Splints, and (2) Hydraulic Spreader Mounts to the highest bidder on Govdeals.com with proceeds thereof deposited in the Fire Fund.

SECTION 3: This resolution shall take effect at the earliest date allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
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Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Service Department
PREPARED BY:	David Treleaven, Environmental Specialist
DATE PREPARED:	October 6, 2022
COUNCIL MEETING DATE:	October 18, 2022
AGENDA TITLE:	October 5, 2022 Environmental Commission Meeting Summary
BUDGETED AMOUNT:	N/A
ACCOUNT CODE:	N/A
RECOMMENDATION:	Approve
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 10.11.22 MBD 10/10/22

Environmental Commission members in attendance at the Wednesday, October 5, 2022 meeting were: Chair, Mr. Jon Ralinovsky; Mr. Steve Elliott, Mr. Justin Fain, Ms. Heather Barrett, and Ms. Peggy Branstrator. A quorum was present. Also in attendance were City of Oxford (Oxford) Climate and Sustainability Intern, Ms. Reena Murphy, and Miami University students Ms. Lai Tang and Ms. Florence Xu.

Approval of Agenda

Motion: Mr. Elliott
2nd: Ms. Barrett
Vote: Unanimous

Approval of Minutes for the September 7, 2022 Meeting

Motion: Ms. Barrett
2nd: Ms. Branstrator
Vote: Unanimous

Discussion:

Ms. Zazycki, Associate Director of MU's Institute for the Environment and Sustainability (IES) had previously informed the Commission that a team of six (6) IES students had been



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selected to undertake the professional service project (PSP) investigating options for increasing recycling volume and/or establishing recycling programs for local multi-family housing. During the month of October, the student team would be crafting a draft project plan defining the problem(s) to be addressed and an outline of how they intend to tackle the project. Ms. Zazycki indicated that at least some of the student team would be present at the Commission's November 2nd meeting to introduce themselves and provide an update on their project plan to ensure it will address the Commission's concerns for the PSP.

During the September Commission meeting, the suggestion was made to have the Commission investigate and establish a recycling and food scrap collection program to be incorporated into Oxford's Red Brick Rally events during the summer of 2023. Staff informed the Commission that past efforts of recycling and food scrap collections at public events indicated the necessity of having folks at the drop-off locations to assist in shepherding people into disposing the appropriate materials in the various containers. In general, the past efforts are well received, but guidance is needed to prevent gross cross-contamination of the recyclable and compostable materials. With the Red Brick Rally events occurring during the summer, availability of Miami University and Talawanda school's environmental student groups to assist the public in segregation of wastes would likely be limited. Several of the Commissioners indicated they would be willing to staff the recyclable and food scraps collection stations, and would be willing to make an effort to recruit additional volunteers for the effort. Staff is to gather additional information pertaining to the set-up of the Red Brick rally events, and additional discussions will continue during the November Commission meeting.

At last night's Oxford City Council meeting, the first reading of the Managed Natural Lawn Area Ordinance occurred. The proposed amendment to Oxford's Codified Ordinance Chapter 935 (Trees, Shrubs and Other Plants) appeared to have been relatively well received by the City Councilors and the public. Subsequently, Mr. Sam Perry, Director of Oxford's Community Development Department, provided an outline of proposed procedures to establish the program. Mr. Perry suggested an annual application process for the public to request inclusion in a Naturalized Lawn Program, and proposed that the Environmental Commission would be responsible for the review of the applications. The Commission would subsequently provide its recommendations to City Council for inclusions of properties in the program for the upcoming growing season. The current Commissioners indicated that they would be willing and able to undertake the proposed review and recommendation process.

Last week, Staff had provided samples of Oxford's ground leaf mulch and twice-ground yard waste mulch to Ms. Branstrator so that she could determine the viable weed seed load in each type of mulch prior to their potential use in the naturalized vegetation pilot projects at the Oxford Community Park (OCP). As of the October 5th Commission meeting, nothing had



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yet sprouted from Ms. Branstrator's test plots, but too much time had elapsed since the start of the tests. Ms. Branstrator indicated that she would encourage Oxford to utilize different methods of initial preparation for the pollinator garden on a traffic island by the southern soccer fields at the OCP, and the grassland prairie installation on an island in the multi-use trail near the access point with Hunter Woods Drive. City Councilor David Prytherch intends to utilize an herbicide to clear existing vegetation from the grassland prairie plantings. Ms. Branstrator would like the pollinator garden plot to be initially prepared by stripping the existing grass sod to expose the underlying soil. The intention of the different preparation processes is to see if there is a difference in their effectiveness and relative amounts of effort.

Staff updated the Commission on the monthly emission monitoring event of the landfill's 23 passive gas vents for August. September's monitoring event was the 24th event, and in the two years of observations, the monthly total estimated carbon dioxide equivalent (CO₂e) for the entire landfill continues to be highly variable. September's estimated total CO₂e was 205 metric tons (MT), the fourth highest value in the two year period. The 24-month average CO₂e value is 154 MT. Staff informed the Commission that the Ohio Environmental Protection Agency (Ohio EPA) had indicated they would require Oxford to obtain a "Rule 13" authorization for the installation of the solar gas flare pilot project at the landfill due to the potential of surface excavation to establish a concrete ground mount for the flare to sit upon. The Rule 13 authorization alerts the Ohio EPA of the potential of excavation activities on the landfill's vegetative cap and outlines procedures to be undertaken if landfilled solid wastes are encountered.

Staff provided a summary of the on-going residential food scraps drop-off program. Through September 22nd (181 weeks since April 2019) the total weight of collected food scraps was approximately 135,600 pounds (67.8 tons), averaging 749 pounds per week. For the year 2022, a total of approximately 30,050 pounds (15 tons) had been collected in 38 weeks, averaging 791 pounds per week.

Ms. Branstrator informed the Commissioners of an upcoming presentation by Dr. Jonathon Levy on Sunday, October 23rd from 4:00 to 6:00 p.m., entitled "Climate Change: What Will it Mean for Southwest Ohio and Who Will be Affected". Dr. Levy is the Director of the IES Department and the presentation will be at the Hopedale Unitarian Universalist Community Church, located at 3870 Millville Oxford Road. There is the opportunity to participate in the presentation utilizing Zoom. Reservations will be required for both in-person and Zoom attendance.



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Approval of Adjournment:

Motion:	Mr. Elliott
2 nd :	Ms. Barrett
Vote:	Unanimous

Commissioners concluded discussions at 7:40 p.m. The next regularly scheduled monthly Environmental Commission meeting is scheduled for 7:00 p.m. on November 2, 2022, in the Municipal Building's first floor conference room.



OXFORD CITY COUNCIL Meeting Minutes

Tuesday, October 4, 2022
[Link for website video here](#)
Full Transcript available upon request.

Roll Call **TIME** 00:00

William Snavelly Mayor	Chantel Raghu Vice Mayor
Jason Bracken	Amber Franklin
Alex French	Glenn Ellerbe
David Prytherch	

A regular meeting of the Oxford City Council was called to order by Mayor William Snavelly on Tuesday, October 4, 2022, at 7:30 p.m. Members in attendance were Jason Bracken, Alex French, Amber Franklin, Glenn Ellerbe, David Prytherch, and Chantel Raghu.

Staff Members in Attendance

Mr. Doug Elliott, City Manager; Ms. Jessica Greene, Assistant City Manager; Mr. Sam Perry, Community Development Director; Mr. Casey Wooddell, Parks and Recreation Director; Mr. Chris Conard, Law Director; Mr. Ben Mazer, Assistant Law Director; Mr. John Jones, Police Chief; Mr. Joe Newlin, Finance Director; Mr. John Detherage, Fire Chief; and Ms. Heather Barbour, Clerk of Council.

Motion – Enter Executive Session at 6:33 p.m. R.C. 121.22(G)(4) For the purpose of collective bargaining, and R.C. 121.22(G)(1) For the Consideration of the Employment and Compensation of an Employee or Official.

(Roll Call) 1st Ms. Raghu 2nd Ms. Franklin

AYE # 7

Ms. Franklin, Ms. French, Mr. Prytherch, Ms. Raghu, Mr. Bracken, Mr. Ellerbe, and Mayor Snavelly

NAY # 0

ABS # 0

Motion – To return from Executive Session at 7:30 p.m. R.C. 121.22(G)(4) For the purpose of collective bargaining, and R.C. 121.22(G)(1) For the Consideration of the Employment and Compensation of an Employee or Official.

(Voice Vote) 1st Ms. Raghu 2nd Mr. Prytherch

AYE # 7

NAY # 0

ABS # 0

Pledge of Allegiance [TIME 01:04](#)

Approval of the Agenda [TIME 01:28](#)

Motion – To Adopt

(Voice Vote) 1st Ms. Raghu 2nd Mr. Prytherch

AYE #7

NAY #0

ABS #0

Public Participation [TIME 01:42](#)

Public Comments

The purpose of the Public Comments Section is for members of the Public to speak to the City Council on any subject not scheduled on the Agenda, except Consent Agenda items. City Council values your comments, and Council rules limit public comments to five minutes for each person. Presentations are not to be in the form of public debate, personal attacks on Council, City staff or other members of the public and Council shall not act except to direct the City Manager to take action or schedule the matter for discussion at a later date.

Ms. Ann Bailey 192 Stone Creek Drive Spoke about the cold shelter and the concern to continue funding the program.

Ms. Barbra Caruso 6071 Booth Road Spoke on behalf of the OCPJ in support of Ann Bailey and the cold shelter. Ms. Caruso mentioned a possible pilot program named MASH.

Ms. Wendy Richardson 6135 Fairfield Road #12 Voiced a safety concern after being locked-in her storage unit. Ms. Richardson asked Council to look into the safety measures.

Ms. Carissa Schnell 6 Olde Stone Court Spoke in opposition to the Reproductive Freedom Resolution City Council ted on September 20, 2022. Ms. Schnell mentioned Pathway to Hope in Hamilton Ohio and the Oxford Women's Center being great resources for those in need.

Resident Name Address/ Resident Comment / Request

Consent Agenda [TIME 24:02](#)

All matters under the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion. Any City Council member may, however, remove an item from consent by request. Items removed for separate discussion will be considered after the motion to approve the Consent Agenda.

- A. Minutes of the September 20, 2022, City Council Meeting (Heather Barbour, Clerk of Council) **Page 5 of the Agenda Packet**
- B. Report regarding the September 12, 2022, Recreation Board Meeting (Casey Wooddell, Parks and Recreation Director) **Page 48 of the Agenda Packet**

Motion – To Adopt

(Voice Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE #7

NAY #0

ABS #0

Resolutions

Resolution No. 7435 [TIME 24:27](#)

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A Resolution authorizing the City Manager to enter into a \$225,000.00 grant agreement with the Ohio Department of Public Safety, to engage in and coordinate as lead agency for the Countywide OVI Taskforce. (John Jones, Police Chief)

Comments from the Public – None

Motion – To Adopt Resolution No. 7435

(Voice Vote) 1st Ms. Raghu 2nd Ms. Franklin

AYE #7

NAY #0

ABS #0

Resolution No. 7436 [TIME 26:17](#)

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2. A Resolution authorizing the City Manager to enter into an agreement with Peter M. Reising to perform consulting services and to function as the Butler County OVI Task Force Coordinator for the 2022 grant funded through the Ohio Department of Public Safety. (John Jones, Police Chief)

Comments from the Public – None

Motion – To Adopt Resolution No. 7436

(Voice Vote) 1st Ms. Raghu 2nd Mr. Prytherch

AYE #7

NAY #0

ABS #0

Resolution No. 7437 [TIME 27:51](#)

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3. A Resolution amending the proposed 2023 Capital Improvements Budget to complete our streets and Oxford area Trail by Updating Oxford Transportation Plans. (Councilor Prytherch)

Comments from the Public –

Carla Blackmar 400 West Vine Street A member of the OPTAB and the Planning Commission, spoke in support of this Resolution.

Motion – To Adopt Resolution No. 7437

(Voice Vote) 1st Ms. Raghu 2nd Mr. Prytherch

AYE #2

NAY #5

ABS #0

Resolution No. 7438 [TIME 52:22](#)

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4. A Resolution amending the proposed 2023 Capital Improvement Budget to expand the funding and scope of renewable energy feasibility study beyond Local Government Operations to meet Community-Wide energy needs. (Councilor Prytherch)

Comments from the Public – None

Motion – To Adopt Resolution No. 7438

(Voice Vote) 1st Mr. Prytherch 2nd Ms. Raghu

AYE #7

NAY #0

ABS #0

Ordinances

Ordinances are adopted using a two-step procedure. First reading introduces the Ordinance and provides an opportunity for public input on the subject as well as allowing Council to request more information as needed. Second reading is to provide Council with the opportunity to consider new information and to deliberate.

First Reading [TIME01:04:40](#)

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1. An Ordinance repealing and replacing section 505.01 of the Codified Ordinances of the City of Oxford pertaining to dogs and other animals running at large. (Doug Elliott, City Manager)

Comments from the Public –

Ms. Wendy Richardson 6135 Fairfield Road #12 Asked everyone to please speak up and speak into the microphones.

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2. An Ordinance amending Chapter 935 trees, shrubs, and other plants by adding Section 935.191 Managed Natural Lawn Area. (Councilor Bracken)

Comments from the Public – None

Mr. Steve Sullivan 104 Marti Court Spoke in support.

Ms. Carla Blackmar 400 West Vine Street Spoke in support.

Ms. Peggy Branstrator 18 Meadow Circle Spoke in support.

Mr. Antonio Alejandro 231 Western Drive Spoke in support.

Ms. Jerri Carlton 602 Melissa Drive Spoke in support.

Mr. Jon Ralinovsky 3 Peabody Drive Spoke in support.

Mr. Steve Gordon 5289 Hillcrest Drive Spoke in support.

Second Reading - None

Announcements & Communications

Remarks from City Council and City Staff [TIME 01:37:24](#)

The comments expressed by individual members of Council or City staff during this portion of a City Council meeting do not necessarily reflect the views of the City of Oxford, The Oxford City Council, or the City staff.

Adjournment

Motion to Adjourn Meeting at 9:31 p.m. [TIME 02:02:02](#)

(Voice Vote) 1st Ms. Raghu 2nd Mr. Prytherch

AYE #7

NAY #0

ABS #0

Print

Due Date: Open

City of
Oxford OHIO
HOME OF MIAMI UNIVERSITY

I am a member of the Eradicating Systemic Poverty team at Oxford Presbyterian Church. I learned at our last meeting that the CARES funding for a cold shelter is nearly depleted. I urge the Council to seek new solutions for maintaining the shelter as the need is great and likely growing. Thank you for your consideration.

Public Comment to Council Form

Print

Submitted by: Anne Bailey

Submitted On: 2022-09-26 14:05:35

Status: Open

Priority: Normal

Assigned To: Jessica Greene

Due Date: Open

Public Comment To Council



Please note: Comments must be received by 2:00 pm the day of the council meeting to be shared with City Council members. Comments will be included in the minutes under the public comment section.

* First Name

Anne

Enter your First Name

* Last Name

Bailey

Enter your Last Name

* Address

192 Stone Creek Drive

* City

Oxford

* State

OH

* Email

baileyae@miamioh.edu

Phone

513-523-1034

* I am a...

☐ Visitor

☒ Resident

☐ Business Manager

☐ Business Owner

☐ Employee in Oxford

☐ Student

☐ Other

* Comment(s)

I plan to speak in person at your Oct. 4 council meeting as leader of the Eradicating Systemic Poverty (ESP) Team of the Oxford Presbyterian Church (OPC). However, this topic seemed urgent enough to comment in advance as well, especially on behalf of those who often are unable to write or comment themselves. Our team learned very recently that there is no money allocated for a cold shelter in

Oxford for this coming winter. Although it is already fall, we are asking city council to carefully look through the budget and see if funds can be allocated from existing purposes to fund a cold shelter for this season. Ideally, a shelter would not be needed; however, judging from last yer, it was full or nearly so, for four months. We believe it is the government's responsibility to care for its neediest citizens when they are unable to obtain housing on their own. If hosting a fund-raiser would do the job, we'd do so. But--this is not a viable, long-term or sustainable solution to the issue of homelessness. Thank you for your consideration.

PETITION TO: OXFORD CITY COUNCIL

15 South College Avenue
Oxford, Ohio 45056

FROM: OXFORD CITY AND TOWNSHIP RESIDENTS: *mc-n*
Edna Southard; Stacey Peterson; Julia Ward; Maria Copson-Niecko

SUBJECT: DOG LEASHING in Oxford

September 30, 2022

The undersigned Petitioners request prompt legislation mandating in clear and unambiguous language that all dogs be on six-foot leashes at all times in Oxford public spaces, including the Oxford Area Trails System (OATS), with the exception of City-designated dog parks.

We wish to draw attention to general ORC 955.22 stipulating that dogs are to be kept "under the reasonable control of some person." Presumably this applies to all public spaces in Oxford including streets, parks and the Oxford Area Trails System. "Reasonable Control" is open to several interpretations but under no circumstance **ensures** the physical and emotional safety of the people it is supposed to protect. This is especially true of the increasingly popular Trails used at all hours of the day, seven days a week and most months of the year. OATS 'Etiquette' signs only demand that dog owners 'control and clean up after Pets.' On these Trails and in the streets and public spaces **a dog under proper control is a dog on a leash**. It is not a dog merely under 'control' or the "reasonable control of some person."

It is not reasonable for City Council to expect users of the Trails (whether they be parents with infants, children, walkers, joggers, seniors with or without disabilities etc.) who feel in any way threatened or frightened by unleashed dogs (and some do so feel) to call the Oxford Police for help. It will cost Oxford taxpayers nothing to immediately require leashes on dogs at all times in public spaces and especially on the Trails. Forcing Trail users to have recourse to the Police in the event of easily **preventable** dog-related incidents is irrational and not without cost.

This issue of fundamental safety has some urgency. Waiting for a serious incident of bodily harm or mental trauma to occur before taking simple remedial legislative action that would also improve the quality of life for many people in the Oxford area is not a sensible option. The same is true of only taking half measures such as limiting a long-overdue dog leash law to high days and holidays or special events like Hike-a-Thons. Precedents for dog leash requirements have already been established close by: Oxford Community Park is one example. Finally, we do not wish to follow Hueston Woods in prohibiting pets on our Trails and happily note that dogs can run unleashed in several publicly funded parks specifically designated for that purpose in and around Oxford. The City of Oxford itself manages the Northside Bark Dog Park on Morning Sun Road.

Total 30 signatories

NAME	ADDRESS	DATE	SIGNATURE
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We, the undersigned, favor clear leash laws for animals (pets) on public property:

	Name	Address	Signature	Date
1	JOSETE + JERRY STANLEY	5735 BROWN RD	J Stanley	9/22/22
2	Jerome Stanley	5735 Brown Rd	Jerome Stanley	9-22-22
3	JULIA WARD	4818 BONTAM	Julia Ward	32/18/22
4	Roscoe Ward	4818 Bonham	R Ward	22/11/22
5	Ann Ann Johnson	4664 KATIE LANE	ANN MORRIS	9/24/22
6	Frances W McCune	1106 S. LOUIS	Frances W McCune	9-22-22
7	MIC Copson-Nick	4664 Katie Lane	MIC Copson-Nick	9/22/22
8	ANASTASIA PETERSON	4080 JOSEPH DR	Anastasia P	9/23/22
9	NADJA HOFMANN	122 Beechpoint Dr.	Nadja Hofmann	9/23/22
10	EDNA C. SOUTHARD	807 Melinda Drive	Edna C. Southard	9/23/22
11	SUSAN Momeyer	220 W. Chestnut St.	Susan Momeyer	9/23/22
12	Judith Kolbas	304 W Chestnut ^{#4}	Judith Kolbas	9/23/22
13	Barb Boyer	5375 S. Franklin	Barb Boyer	9/23/22
14	Barb Peters	"	Barb Peters	9/23/22
15	DARITA Peters	"	Darita Peters	9/23/22
16	Kathy Romano	104 W Bull Run Dr	Kathy Romano	9/25/22
17	Tom Romano	104 W Bull Run Dr	Tom Romano	9/25/22
18	LINDA MUSMECI KIMBALL	724 Melinda Dr	Linda Musmeci Kimball	9/29/22
19	Kate Covsmann	10 Quail Ridge Dr	Kate C	

We, the undersigned, favor clear leash laws for pets (animals) on public property

	Name	Address	Signature	Date
20	TONI SALDVAR	64 SCARLET OAK C.	Toni J. Saldvar	9/26/2022
21	DIANA UHLMAN	320 OLD RIVER TRAIL	D Uhlman	9/26/2022
22	Cynthia Kelley	410 Sandra Drive	Cynthia G. Kelley	9/26/2022
23	Jennifer Blue	6089 Joseph Dr	Jennifer Blue	9/26/2022
24	Andrea Yaeger	6081 Joseph Dr.	Andrea Yaeger	9/28/2022
25	Martha Jackson	209 Oakhill Dr.	Martha Jackson	9/28/22
26	MICHAEL ADAM	4603 WILSON RD.	MICHAEL ADAM	9/28/22
27	Deborah Craig Cashell	115 HUNTER WOODS	Deborah Craig Cashell	9/28/22
28	Erika Nelson	5508 Brown Rd	Erika Nelson	10/2/22
29	Holly Wissing	4903 Stillwell Rd	Holly Wissing	10/2/22
30	Tom Wissing	4903 Stillwell Rd.	Tom Wissing	10/2/22



Office of the Mayor

Proclamation

Whereas:

Caroline Scott Harrison was born in Oxford, Ohio, at Two South Campus Avenue, on October 1, 1832; and

WHEREAS, her father, John Witherspoon Scott, was a professor at Miami University, and her mother was Mary Neal Scott; and

WHEREAS, Caroline met Benjamin Harrison in Cincinnati while her father taught at Farmer's College. In 1852, Benjamin graduated from Miami University, and Caroline graduated from the Oxford Female Institute. They married in Oxford on October 20, 1853, in her parents' home at 131 West High Street; and

WHEREAS, Benjamin won the U.S. presidential election in 1888, and Caroline and Benjamin left for Washington, D.C., in 1889. Benjamin Harrison became the 23rd President of the United States when he was inaugurated on March 4th of that year; and

WHEREAS, Caroline was the first in the White House to have a decorated Christmas tree, and she was also responsible for having electricity installed in the White House; and

WHEREAS, an advocate of education for women, Caroline agreed to raise funds for the Johns Hopkins Medical School in 1890 on the condition that women be admitted on the same basis as men; and

WHEREAS, Caroline became the first President General of the newly formed Daughters of the American Revolution (DAR) in 1890; and

WHEREAS, Caroline Harrison's contributions as First Lady unfortunately are often overlooked, but she did much to further equality for women, and her plan for White House renovation contributed greatly to its future evolution; and

WHEREAS, Caroline died in the White House on October 25, 1892, and she was mourned by the nation. Funerals were held both in Washington, D.C., and in Indianapolis, Indiana, where she is buried at Crown Hill Cemetery, beside her husband who died in 1901; and

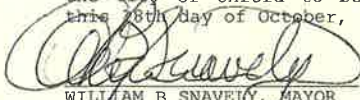
WHEREAS, a sculpture of Caroline Scott Harrison now sits in the backyard garden of the Oxford Community Arts Center, illuminating her importance to our community.

NOW, THEREFORE, I, William B. Snavely, Mayor of the City of Oxford, Ohio, do hereby proclaim October 25, 2022 as:

'Caroline Scott Harrison Day'

and urge all citizens to celebrate her importance here in Oxford and as First Lady.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Oxford to be affixed this 28th day of October, 2022.


WILLIAM B. SNAVELY, MAYOR





The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Sam Perry
DATE PREPARED:	October 10, 2022
COUNCIL MEETING DATE:	October 18, 2022
AGENDA TITLE:	Resolution authorizing the City Manager to sign an addendum to the 2021 real estate purchase option agreement with Episcopal Retirement Services Affordable Living LLC
CITY MANAGER/DEPT HEAD APPROVAL:	 <i>DRC</i> 10.12.22

In April 2021, City Council authorized the City Manager to enter into an option to purchase real estate agreement with Episcopal Retirement Services (ERS). The option expires October 31, 2022, with one opportunity for a 1-year extension. The subject property involves 8 of the 47 acres of the Western Knolls land owned by the City of Oxford since 2008, located on Oxford Reily Road.

ERS is a housing provider in the Ohio and Indiana region. ERS obtained a preliminary planned development approval from the City of Oxford for a 42-unit senior housing development in January 2022. Construction plans for the project are contingent upon a competitive scoring process administered by the Ohio Housing Finance Agency (OHFA). ERS did not receive sufficient scores to obtain the desired funding, however an additional funding mechanism announced in September, is being considered. ERS has requested one additional month to evaluate the feasibility of applying for this funding.

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN ADDENDUM TO THE 2021 REAL ESTATE PURCHASE OPTION AGREEMENT WITH EPISCOPAL RETIREMENT SERVICES AFFORDABLE LIVING LLC, AUTHORIZING A 30-DAY OPTION EXTENSION WITHOUT PAYMENT.

WHEREAS, on April 6, 2021 by adoption of Resolution No. 7284 City Council authorized the City Manager to enter into an Option to Purchase Real Estate Agreement with Episcopal Retirement Services Affordable Living, LLC (ERS); and

WHEREAS, the subject real estate involves approximately eight (8) of 47 acres of city-owned land known as Western Knolls, located on Oxford Reily Road; and

WHEREAS, the agreement was entered into on April 8, 2021, and one (1) \$2,000 payment was provided by ERS to the City of Oxford; and

WHEREAS, the option to purchase expires on October 31, 2022, and can be extended until October 31, 2023, if, per the agreement, an additional \$2,000 payment is made prior to expiration; and

WHEREAS, ERS is considering a new senior housing funding mechanism that was announced in September 2022; and

WHEREAS, ERS is requesting an additional 30 days beyond October 31, 2022 to fully evaluate the feasibility of this potential funding mechanism; and

WHEREAS, the City Manager and Community Development Director believe it is in the interest of the community to allow the 30 days requested without fee payment.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY RESOLVES THAT:

SECTION 1: City Council hereby accepts the recommendation of the City Manager and the Community Development Director and further authorizes the City Manager to sign any addendum documents necessary that would allow the additional 30 days requested without requiring payment of the option fee. If the option to purchase does not move forward prior to November 30, 2022, then ERS would be required to pay the fee prior to November 30, 2022 in order to retain the option until October 31, 2023. No further extensions are built into the existing agreement.

SECTION 2: This resolution shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY:

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Finance
PREPARED BY:	J Newlin
DATE PREPARED:	10/11/2022
COUNCIL MEETING DATE:	10/18/2022
AGENDA TITLE:	Supplemental Budget Ordinance
COUNCIL GOAL AREA:	Fiscal Responsibility
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	JN 10/11/2022 <i>DRC</i> 10.12.22

DISCUSSION:

Issue 1

To make adjustment to budgeted expenditures for Operating System Upgrades

Action Needed:

Revenue Side

Expense Side

General Fund (110)	2,820.00
Water Fund (321)	940.00
Wastewater Fund (331)	940.00

Net Effect on Fund Balance/(s)	(4,700.00)
Increase/(Decrease)	



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

Issue 2

To make adjustment to budgeted revenue and expenditures for the
Hotel/Short Term Rental receipts

Action Needed:

Revenue Side

General Fund (110)	62,056.00
Hotel Tax Agency Fund (120)	67,056.00

Expense Side

Hotel Tax Agency Fund (120)	67,056.00
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Net Effect on Fund Balance/(s) Increase/(Decrease)	62,056.00
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Total Net Effect on Fund Balance/(s) Increase/(Decrease)	57,356.00
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Breakdown by Fund

General Fund (110)	59,236.00
Hotel Tax Agency Fund (120)	-
Water Fund (321)	(940.00)
Wastewater Fund (331)	(940.00)

Net Effect on Fund Balance/(s) Increase/(Decrease)	57,356.00
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ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 3654 SUPPLEMENTAL BUDGET ORDINANCE NUMBER 8 TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2022.

WHEREAS, additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues.

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Additional appropriations are needed for the current fiscal year and monies are available for appropriation in those funds, and changes to estimated revenues;

SECTION 2: The following increase/(decrease) in revenues be made:

General Fund 110	62,056.00
Hotel Tax Agency Fund (120)	67,056.00

SECTION 3: The following increase/(decrease) in expenditures be made:

General Fund 110	2,820.00
Hotel Tax Agency Fund (120)	67,056.00
Water Fund 321	940.00
Wastewater Fund 331	940.00

SECTION 4: In all other respects, Ordinance No. 3654 shall remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon its adoption.

MAYOR

ADOPTED: _____

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	Community Development
PREPARED BY:	Zachary Moore
DATE PREPARED:	October 11, 2022
COUNCIL MEETING DATE:	October 18, 2022
AGENDA TITLE:	South Farm Section IV , extension of Final Subdivision and Construction Drawing approvals and amending Final Planned Development approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 10.12.22

Proposal Summary:

The developer for a planned second phase of the South Farm neighborhood has submitted a request to extend deadlines, as necessary, in order for construction to commence on the site. The project is planned to consist of 25 single-family lots on approximately 7 acres located off Roberts Drive. Council originally approved a Final Subdivision application for this project on May 5, 2020. Council later re-approved the request on November 16, 2021 due to difficulties the developer had experienced resulting from the pandemic. The developer is once again asking for formal approval of a timeline extension.

Background:

The South Farm project has thus far garnered the following approvals:

- **Preliminary Planned Development & Preliminary Subdivision** – approved by Council on September 17, 2019 by Ord. No. 3535
- **Final Subdivision** – Right-of-Way Vacation and Final Plat both approved by Council on May 5, 2020 by Ord. No. 3567 and 3568 respectively
- **Final Planned Development** – approved by Council on May 5, 2020 by Ord. No. 3566
- **Construction Drawings** – approved administratively by Community Development and Service Departments as of July 30, 2020. Outstanding fee balance (including sewer & water capacity benefit charges) must be paid prior to issuance.
- **Final Subdivision** – Right-of-Way Vacation and Final Plat re-approved by Council on November 16, 2021 by Ord. No. 3644 and 3645 respectively.



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

Discussion and Recommendation:

There are several timing provisions the developer is running up against as plans are made to begin construction on this new residential subdivision. The first is that the Final Plat & Right-of-Way Vacation approvals (together constituting the “Final Subdivision”) are set to expire on November 16 unless recordings are completed and construction begins by this date. Secondly, the Final Planned Development originally approved on May 5, 2020 included a timing-related condition (#16) requiring the majority of public infrastructure (everything except sidewalks in front of dwellings yet to be built) to be in place within 1 year of Final Plat approval; thus meaning the infrastructure would not only need to begin, but also be complete, by November 16 this year. Thirdly, the Oxford Subdivision Regulations specify that Construction Drawings for a new subdivision are valid for a period of 2 years, unless an extension is granted; seeing as how the latest set of Drawings were approved by the appropriate departments as of July 30, 2020, this technically means the Drawings have lost their validity as of July 30 this year.

Staff has considered the following points in reviewing the request:

1. The developer has worked extensively with City staff over the last few months to approve the necessary HOA documentation and secure appropriate financial security for the project;
2. The developer is aware of all other outstanding requirements and steps prior to commencing construction, including but not limited to: (1) approval of bonds; (2) signing and recording of plat instruments; (3) recording of HOA documents; and (4) payment of outstanding fees, including water/sewer capacity benefit charges.
3. The Construction Drawings on file are consistent with currently valid planning/zoning-related approvals, and after discussion with the City Engineer, it was determined a “re-review” of the Drawings is not a necessary exercise by nature of any recent changes to relevant codes/standards.
4. Condition #16 of the Final Planned Development approval, which required the majority of public infrastructure to be completed within 1 year, appears to have been an attempt to translate a particular provision in the Zoning Code requiring Planned Developments to be “substantially completed” within 1 year of approval. This provision has less relevancy to a development following the subdivision process, which requires bonds to be posted to ensure infrastructure is completed should the infrastructure not satisfactorily be completed by the private developer.

In consideration of the points above, staff recommends Council **grant a 6-month extension** as allowed by Code, and subsequently **amend the past Final PD Ordinance** to eliminate the 1 year deadline for completion of infrastructure; all other applicable Code provisions and conditions would remain in effect.

ORDINANCE NO.

AN ORDINANCE APPROVING A SIX-MONTH EXTENSION OF THE APPROVED FINAL SUBDIVISION AND CONSTRUCTION DRAWINGS, AND AMENDING A CONDITION OF THE APPROVED FINAL PLANNED DEVELOPMENT, FOR SOUTH FARM SECTION IV.

WHEREAS, Ordinance No. 3566 was adopted by Council on May 5, 2020 approving, with conditions, the Final Planned Development application for a new phase to the South Farm neighborhood consisting of 25 single-family lots on 6.84 acres; and

WHEREAS, Condition #16 adopted as part of Ordinance No. 3566 required that all public infrastructure, including streets, trails, utilities, and sidewalks (except those on lots where dwellings are not yet built) be in place within 1 year of Final Subdivision approval; and

WHEREAS, Ordinance No. 3567 and 3568 were also adopted on May 5, 2020 approving, with conditions, the Final Subdivision application consisting of a record plat and necessary right-of-way vacation to support a reconfigured street layout; and

WHEREAS, the Community Development and Service Departments had both approved a set of Construction Drawings corresponding to the proposed South Farm development, thus indicating Engineering and Zoning approval, as of July 30, 2020; and

WHEREAS, Ordinance No. 3644 and 3645 were later adopted by Council on November 16, 2021 re-approving the Final Subdivision application for the primary purpose of extending deadlines due to project delays brought on by the COVID-19 pandemic; and

WHEREAS, the Final Subdivision approved via Ordinance 3645 is set to expire on November 16, 2022 unless recordings are completed and construction started within this time period; and

WHEREAS, South Farm Development LLC has requested an extension to allow additional time to develop and complete the necessary infrastructure to support the future South Farm subdivision; and

WHEREAS, Oxford Code Section 1101.205 allows City Council to grant time extensions to Final Subdivision Plats and Construction Drawings; and

WHEREAS, the time extension makes no changes to the conditions of approval in Ordinance No. 3645; and

WHEREAS, the City Manager and the Community Development Director recommend Council approve the six month extension request of the Final Subdivision attached hereto as Exhibit "A" for South Farm Section IV, and subsequently extend validity

of the Construction Drawings corresponding to said subdivision by the same period of time;
and

WHEREAS, The City Manager and Community Development Director also recommend Council amend the Final Planned Development previously approved on May 5, 2020 to strike the last sentence of Condition #16 which required all infrastructure (excepting sidewalks in front of dwellings yet to be built) to be in place within 1 year of Final Subdivision approval;

THE COUNCIL OF THE CITY OF OXFORD, OHIO, HEREBY ORDAINS THAT:

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Community Development Director and further approves the six month extension request for the Final Subdivision and Construction Drawings, as well as eliminating the final sentence of Condition #16 from the approved Final Planned Development.

SECTION 2: This Ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Doug Elliott
DATE PREPARED:	9.27.22
COUNCIL MEETING DATE:	10.4.22
AGENDA TITLE:	An Ordinance amending Section 505.01 Dogs and Other Animals Running at Large.
COUNCIL GOAL AREA:	Public Safety
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	Approval
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 9.28.22

DISCUSSION:

The amendment is in paragraph (C) with a new (3) which states “Keep the dog on a leash not to exceed six feet in length upon any public property including sidewalks and trails excluding City dog parks or City-Sponsored off-leash dog events.”

ORDINANCE NO.

ORDINANCE REPEALING AND REPLACING SECTION 505.01 OF THE CODIFIED ORDINANCES OF THE CITY OF OXFORD PERTAINING TO DOGS AND OTHER ANIMALS RUNNING AT LARGE.

WHEREAS, the City has received several public comments from citizens urging the amendment to the leash ordinance; and

WHEREAS, the City Manager recommends Council repeal and replace Section 505.01 of the Codified Ordinances of the City of Oxford pertaining to dogs and other animals running at large.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council hereby repeals and replace Section 505.01 of the Codified Ordnances of the City of Oxford pertaining to dogs and other animals running at large, as referenced in Exhibit A.

SECTION 2: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL

INTRODUCED BY: WILLIAM SNAVELY

PREPARED BY: LAW (STAFF)

505.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE.

(a) No person being the owner or having charge of cattle, horses, swine, sheep, geese, ducks, goats, turkeys, chickens or other fowl or animals shall permit them to run at large upon any public place, or upon any unenclosed lands or upon the premises of another.

(ORC 951.02)

(b) No owner, keeper or harbinger of any female dog shall permit it to go beyond the premises of the owner, keeper or harbinger at any time the dog is in heat, unless the dog is properly in leash.

(c) No owner, keeper, or harbinger of any dog shall fail at any time to do either of the following:

(1) Keep the dog physically confined or restrained upon the premises of the owner, keeper, or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape.

(2) Keep the dog under the reasonable control of some person.

(3) Keep the dog on a leash not to exceed six feet in length upon any public property, including sidewalks and trails, and excluding city dog parks or city-sponsored off-leash dog events.

(ORC 955.22)

(d) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running at large in violation of this section.

(ORC 951.02)

(e) (1) Whoever violates subsection (a) hereof is guilty of a misdemeanor of the fourth degree. (ORC 951.99)

(2) A. Whoever violates subsection (b) hereof is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

B. In addition to the penalties prescribed in subsection (e)(2)A. hereof, if the offender is guilty of a violation of subsection (b) hereof, the court may order the offender to personally supervise the dog that the offender owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both.

(3) A. 1. Whoever violates subsection (c) hereof that involves a dog that is not a nuisance dog, dangerous dog or vicious dog is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

2. In addition to the penalties prescribed above, if the offender is guilty of a violation of subsection (c) hereof, that involves a dog that is not a nuisance dog, dangerous dog or

vicious dog, the court may order the offender to personally supervise the dog that the offender owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both.

B. 1. Whoever commits a violation of subsection (c) hereof, that involves a nuisance dog is guilty of a minor misdemeanor on the first offense and of a misdemeanor of the fourth degree on each subsequent offense involving the same dog. Upon a person being convicted of or pleading guilty to a third violation of subsection (c) hereof, involving the same dog, the court shall require the offender to register the involved dog as a dangerous dog.

2. In addition to the penalties prescribed above, if a violation of subsection (c) hereof involves a nuisance dog, the court may order the offender to personally supervise the nuisance dog that the offender owns, keeps or harbors, to cause that dog to complete obedience training, or to do both.

C. Whoever commits a violation of subsection (c) hereof that involves a dangerous dog, is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the offender to personally supervise the dangerous dog that the offender owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order the offender to obtain liability insurance pursuant to division (E) of Ohio R.C. 955.22. The court, in the alternative, may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society at the owner's expense. With respect to a violation of subsection (c) hereof that involves a dangerous dog, until the court makes a final determination and during the pendency of any appeal of a violation of that division and at the discretion of the Dog Warden, the dog shall be confined or restrained in accordance with division (D) of Ohio R.C. 955.22 or at the County Dog Pound at the owner's expense.

D. 1. Whoever commits a violation of subsection (c) hereof that involves a vicious dog is guilty of one or the following:

a. A felony, if the dog kills a person, and shall be prosecuted under appropriate State law. Additionally, the court shall order that the vicious dog be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.

b. A misdemeanor of the first degree if the dog causes serious injury to a person. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society;

2. If the court does not order the vicious dog to be destroyed under subsection (e)(3)D.1.b. hereof, the court shall issue an order that specifies that division (D) of Ohio R.C. 955.11 and divisions (D) to (I) of Ohio R.C. 955.22 apply with respect to the dog and the owner, keeper or harborer of the dog as if the dog were a dangerous dog and that Ohio R.C. 955.54 applies with respect to the dog as if it were a dangerous dog. As part of the order, the court shall order the offender to obtain the liability insurance required under division

(E)(1) of Ohio R.C. 955.22 in an amount, exclusive of interest and costs, that equals or exceeds one hundred thousand dollars. Until the court makes a final determination and during the pendency of any appeal of a violation of subsection (c) hereof and at the discretion of the Dog Warden, the dog shall be confined or restrained in accordance with the provisions described in division (D) of Ohio R.C. 955.22 or at the County Dog Pound at the owner's expense.

(ORC 955.99)

505.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE.

(a) No person being the owner or having charge of cattle, horses, swine, sheep, geese, ducks, goats, turkeys, chickens or other fowl or animals shall permit them to run at large upon any public place, or upon any unenclosed lands or upon the premises of another.

(ORC 951.02)

(b) No owner, keeper or harbinger of any female dog shall permit it to go beyond the premises of the owner, keeper or harbinger at any time the dog is in heat, unless the dog is properly in leash.

(c) No owner, keeper, or harbinger of any dog shall fail at any time to do either of the following:

(1) Keep the dog physically confined or restrained upon the premises of the owner, keeper, or harbinger by a leash, tether, adequate fence, supervision, or secure enclosure to prevent escape.

~~—(2) Keep the dog under the reasonable control of some person.~~

~~—(ORC 955.22)~~

(2) When off the premises of the owner, keeper, or harbinger, keep the dog on a leash under the reasonable control of some person who is of suitable age and discretion;

(3) This subsection does not apply when the dog is within a designated dog park or city-sponsored off-leash dog event, or if the dog is a police dog in the performance of its official duties.

(d) Any animal running at large as in any area described in subsection (a) above is prima-facie evidence that such animal is running at large in violation of this section.

~~{ORC 951.02}~~

(e) (1) Whoever violates subsection (a) hereof is guilty of a misdemeanor of the fourth degree. (ORC 951.99)

(2) A. Whoever violates subsection (b) hereof is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

.In addition to the penalties prescribed in this subsection (e)(2), if the offender is guilty of a violation of the above subsection (b) , the court may order the offender to personally supervise the dog that the offender owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both.

(3) A. 1. Whoever violates subsection (c) hereof that involves a dog that is not a nuisance dog, dangerous dog or vicious dog is guilty of a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for each subsequent offense.

2. In addition to the penalties prescribed above, if the offender is guilty of a violation of subsection (c) hereof, that involves a dog that is not a nuisance dog, dangerous dog or vicious dog, the court may order the offender to personally supervise the dog that the offender owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both.

B. 1. Whoever commits a violation of subsection (c) hereof, that involves a nuisance dog is guilty of a minor misdemeanor on the first offense and of a misdemeanor of the fourth degree on each subsequent offense involving the same dog. Upon a person being convicted of or pleading guilty to a third violation of subsection (c) hereof, involving the same dog, the court shall require the offender to register the involved dog as a dangerous dog.

2. In addition to the penalties prescribed above, if a violation of subsection (c) hereof involves a nuisance dog, the court may order the offender to personally supervise the nuisance dog that the offender owns, keeps or harbors, to cause that dog to complete obedience training, or to do both.

C. Whoever commits a violation of subsection (c) hereof that involves a dangerous dog, is guilty of a misdemeanor of the fourth degree on a first offense and of a misdemeanor of the third degree on each subsequent offense. Additionally, the court may order the offender to personally supervise the dangerous dog that the offender owns, keeps or harbors, to cause that dog to complete dog obedience training, or to do both, and the court may order the offender to obtain liability insurance pursuant to division (E) of Ohio R.C. 955.22. The court, in the alternative, may order the dangerous dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society at the owner's expense. With respect to a violation of subsection (c) hereof that involves a dangerous dog, until the court makes a final determination and during the pendency of any appeal of a violation of that division and at the discretion of the Dog Warden, the dog shall be confined or restrained in accordance with division (D) of Ohio R.C. 955.22 or at the County Dog Pound at the owner's expense.

D. 1. Whoever commits a violation of subsection (c) hereof that involves a vicious dog is guilty of one or the following:

a. A felony, if the dog kills a person, and shall be prosecuted under appropriate State law. Additionally, the court shall order that the vicious dog be humanely destroyed by a licensed veterinarian, the County Dog Warden or the County Humane Society at the owner's expense.

b. A misdemeanor of the first degree if the dog causes serious injury to a person. Additionally, the court may order the vicious dog to be humanely destroyed by a licensed veterinarian, the County Dog Warden, or the County Humane Society;

2. If the court does not order the vicious dog to be destroyed under subsection (e)(3)D.1.b. hereof, the court shall issue an order that specifies that division (D) of Ohio R.C. 955.11 and divisions (D) to (I) of Ohio R.C. 955.22 apply with respect to the dog and the owner, keeper or harborer of the dog as if the dog were a dangerous dog and that Ohio R.C.

955.54 applies with respect to the dog as if it were a dangerous dog. As part of the order, the court shall order the offender to obtain the liability insurance required under division (E)(1) of Ohio R.C. 955.22 in an amount, exclusive of interest and costs, that equals or exceeds one hundred thousand dollars. Until the court makes a final determination and during the pendency of any appeal of a violation of subsection (c) hereof and at the discretion of the Dog Warden, the dog shall be confined or restrained in accordance with the provisions described in division (D) of Ohio R.C. 955.22 or at the County Dog Pound at the owner's expense.

(ORC 955.99)



The City of Oxford
(513) 524-5200
15 S. College Ave.
Oxford, OH 45056

STAFF REPORT

ORIGINATING DEPARTMENT:	City Manager
PREPARED BY:	Councilor Bracken
DATE PREPARED:	9.28.22
COUNCIL MEETING DATE:	10.4.22
AGENDA TITLE:	An Ordinance to add Section 935.191 Managed Natural Lawn Area.
COUNCIL GOAL AREA:	Climate Sustainability
BUDGETED AMOUNT:	
ACCOUNT CODE:	
RECOMMENDATION:	
CITY MANAGER/DEPT HEAD APPROVAL:	<i>DRC</i> 10.12.22

DISCUSSION:

COUNCILOR BRACKEN REQUESTED THIS ORDINANCE.

ORDINANCE NO.

ORDINANCE AMENDING CHAPTER 935 TREES, SHRUBS, AND
OTHER PLANTS BY ADDING SECTION 935.191 MANAGED
NATURAL LAWN AREA.

WHEREAS: the Environmental Commission recommends adopting a
Managed Natural Lawn Area Ordinance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OXFORD, BUTLER
COUNTY, STATE OF OHIO, THAT:

SECTION 1: Council hereby amends Chapter 935 Trees, Shrubs, and Other Plants
of the Codified Ordinances of the City of Oxford by adding Section 935.191 Managed
Natural Lawn Area as follows:

935.191 MANAGED NATURAL LAWN AREA

A. Intent

1. The City Council recognizes residents' desire to use their property on residential parcels in an ecologically beneficial manner, including through the planting of vegetation in lawn areas, including native grasses and forbs, and other plants beneficial to pollinators, which may grow to a height of greater than the currently allowable ten (10) inches (see section 935.20(a.)) The Council finds these types of plantings may preserve, restore, or maintain beneficial natural functions and may utilize environmentally sound practices while upholding aesthetic properties that benefit our neighborhoods and community. As guidance towards these functional and aesthetic goals, this change in lawn use must be planned, managed, and maintained in accordance with the minimum standards described herein.

B. Definitions

1. Managed natural lawn area – A planned, intentional, and maintained planting of native plants or non-invasive plants of any origin, that is free from noxious weeds as defined by Ohio Administrative Code (OAC) 901:5-37-01 and may exceed ten (10) inches in length. This may include a variety of horticultural practices including but not limited to those called natural lawns, natural landscapes, native lawns, pollinator gardens, rain gardens, meadow vegetation, native prairie, prairie gardens, monarch waystations, native plantings, native gardens, and butterfly habitat.
2. Native plants – Plants recognized as native to the state by the Ohio Department of Natural Resources, including: wildflowers, grasses, shrubs, vines, forbs, ferns, sedges, and rushes.
3. Non-invasive plants – Domesticated and non-native plants commonly used in

horticulture that do not spread beyond intentionally planted beds; that do not establish in unmaintained areas.

4. Turf grasses – Blends of annual and perennial grasses intended to create a low-growing, homogeneous appearance commonly used in regularly cut lawns. (e.g., Kentucky bluegrass, perennial ryegrass, tall fescue, and fine fescue)
5. Pesticide—pesticides are defined to include any chemical introduced into the environment for the purpose of killing arthropods. This includes topical sprays as well as systemic pesticides.

C. Applicability

1. Residential zoning districts.

D. Requirements.

1. Any owner of a residential lot in the City may transition an area of lawn on the lot to a Managed Natural Lawn Area.
2. Managed Natural Lawn Area may include vegetation more than ten (10) inches in height, and which have gone to seed, but may not include any noxious weeds, shall not impede line of sight for safe vehicular travel, nor shall impinge on public right-of-way, drainage utility easement, or neighboring properties. The Code Enforcement Officer may require mowing or other maintenance or removal for these purposes.
3. The transition period from manicured lawn to a Managed Natural Lawn Area in a given space must be achieved in three growing seasons to ensure that a public nuisance is not created (see Oxford Landscape plan 410.B.3a.)
4. A Managed Natural Lawn Area shall not include turf grass lawns left unattended.
5. When establishing a Managed Natural Lawn Area, turf grass and/or other existing vegetation shall be eliminated, and native vegetation shall be planted through transplanting or seeding. Soil erosion shall be controlled and is the sole responsibility of the land owner.
6. Pesticide use shall be minimized in Managed Natural Lawn Areas. The purpose of such areas is to use property in an ecologically beneficial manner. Pesticides generally disrupt ecologies. Indiscriminate or extensive spraying of pesticides is not allowed in Managed Natural Lawn Areas. Targeted application with short-lived pesticides may be justified. Similarly, the use of BT (*Bacillus thuringiensis*) for the control of larvae and grubs, including mosquito larvae, in isolated areas of the lot is allowed. Any pesticides used on the lot must not escape the lot, for example through wind or water transport. Plants that have been treated with systemic pesticides or genetic modifications that kill arthropods may not be knowingly planted and must be removed if they are discovered.
7. At no time shall a Managed Natural Lawn Area interfere with motorists' views the street or roadway.

E. Failure to Maintain

1. If a property owner chooses to install a Managed Natural Lawn Area, and it is determined by the Code Enforcement Officer that the area fails to meet the definition and requirements of a Managed Natural Lawn Area as defined in sections 2,3 and 4, it shall be considered prima facie evidence of the failure of the owner to comply with this section.
2. The City may then provide written notice to the property owner advising such owner that the Managed Natural Lawn Area must be brought into conformity within (30) thirty days. If the owner fails to achieve conformity, then the City may perform the necessary work to abate non-compliance, keeping an accurate account of the cost. The cost shall be assessed to the property owner.

SECTION 2: This ordinance shall take effect at the earliest time allowed by law.

MAYOR

ADOPTED:

ATTEST:

CLERK OF OXFORD CITY COUNCIL
INTRODUCED BY: COUNCILOR BRACKEN
PREPARED BY: LAW (STAFF)